

REMARKS

This communication responds to the Office Action dated August 3, 2011.

No claims are amended, canceled, or added. As a result, claim 1 remains pending in this application.

The Rejection of Claims Under § 103

Claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Aber et al. (US Patent 7,283,976; hereinafter “Aber”) and further in view of Bata (US Pre-Grant Publication 2003/0097364, hereinafter “Bata”).

Applicant respectfully traverses the rejection of claim 1 as the asserted combination of Aber and Bata fails to support a proper *prima facie* showing of obviousness. As previously argued in the extensive history of this application, and as explicitly provided in claim 1, “the copies of the electronic data received in a system performing the method which is not one of the system from which the data is received and is received only for the purpose of maintaining a central archive repository of e-commerce activity documentation.” According to this language, the system performing the method does not generate any of the documentation. The Gibson (WO 02/05230) was previously asserted for this purpose. In the present Office Action, the Gibson reference has been removed and Aber is asserted in its place. However, the Aber reference is similar to Gibson in that Aber is a participant in the transaction processing and generates documentation that is would be archived by the method of claim 1. This is contrary to the explicit language of claim 1 which as recited above, does not generate any of the data that is archived.

For example, on pages 2 and 3, the Office Action asserts Aber at col. 5, lines 52-55 and col. 6, lines 4-48. From the best Applicant can tell, the assertion is with regard to SAP 42. Which in col. 6, lines 4-48 of Aber describes some archiving functionality. However, Aber at col. 5, lines 49-51 explicitly states, “SAP 42 prepares from the requisition a purchase order which is sent via EDI as IDOC PO 87 or as paper purchasing document 86 to vendor 48.” SAP 42 is therefore a participant in the transaction and generates documentation and data to facilitate the transaction which is contrary to the explicit language of claim 1. Further, SAP 42 is

described in col. 3 at lines 44-48 of Aber as “the back-end purchasing engine of the enterprise ... accepting the requisitions from the front-end ReqCatWeb 40, and generating EDI transactions, as well as the accounting transactions for the requisitions, etc.” Thus, it is quite clear from the explicit language of Aber that the asserted SAP 42 of Aber does not receive copies of the electronic data, but instead generates the electronic data. Aber further is one of the systems generating the data and any data that may be received from other system is received to generate transaction data rather than only for the purpose of maintaining a central archive repository of e-commerce activity documentation as claimed. Aber therefore does not provide a teaching or suggestion of the portions of claim 1 for which it is asserted.

Bata is provided only for the purpose of showing processing of copies of the electronic documentation and not for the purpose of showing “the copies of the electronic data received in a system performing the method which is not one of the system from which the data is received and is received only for the purpose of maintaining a central archive repository of e-commerce activity documentation.” Thus, Bata fails to cure the deficiencies of Aber.

Accordingly, to support a proper *prima facie* showing of obviousness, the references, when combined, must provide a teaching or suggestion of all the claim elements. As shown herein, the asserted combination of Aber and Bata fails to provide a teaching or suggestion of at least “the copies of the electronic data received in a system performing the method which is not one of the system from which the data is received and is received only for the purpose of maintaining a central archive repository of e-commerce activity documentation.” Absent such a teaching or suggestion, the asserted *prima facie* showing of obviousness is improper. Applicant therefore respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejection and allowance of claim 1.

RESPONSE UNDER 37 C.F.R. § 1.111

Serial Number: 10/666,728

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CONCLUSION

Applicant respectfully submits that claim 1 remains pending, is in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 373-6938 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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